IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 224 of 2005

Between:

1 Gudipati Pandaiah, s/o Veeraiah,
2 Gudipati Nageswar Rao, s/o Veeraiah,
Both R/o H.No. 1-3-11/1, Market Road, Suryapet, Nalgonda District.
3 Gudipati Srinivasulu, S/o Pandaiah,
R/o H.No. 593, Road No. 7A, New Nagole Colony, Hyderabad.
4 Gudipati Ravi Kumar, S/o Pandaiah,
R/o H.No. 425, Road No. 9A, New Nagole Colony, Hyderabad.

..... PETITIONERS

AND

1 State of Andhra Pradesh, through Secretary, Department of Home,
Secretariat, Hyderabad.
2 The Station House Officer, P.S. Neredcherla, Nalgonda District.
3 Nakerikanti Suryanarayana, S/o Rajaiah,
R/o Dirshincherla Village, Neredcherla Mandal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus by quashing the FIR No. 111/2003 on the file of P.S., Neredcherla, Nalgonda District.

Counsel for the Petitioners : Mr.B.VIJAYSEN REDDY

Counsel for Respondents 1&2 : G.P. FOR HOME

Counsel for Respondent No.3 : Mr.P.VENUGOPAL RAO

The Court at the stage of admission, made the following :

ORDER:

The petitioners seek a Writ of Mandamus for quashing F.I.R.No. 111 of 2003 on the file of Police Station, Neredcherla, Nalgonda District. According to them, the F.I.R. was registered on the basis of a complaint submitted by the third respondent on 22.10.2003 and the allegation in that F.I.R. is only against one Thalluri Venkateswarlu. Though the said Thalluri Venkateswarlu is the son-in-law of the first petitioner and brother-in-law of petitioners 2 to 4, they have nothing to do with the business activity of the said accused. They urged that implication of the petitioners was only with a view to pressurize them.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home and Sri Pasnooru Venugopala Rao, learned counsel for third respondent-complainant.

The F.I.R. was registered on the basis of a complaint dated 22.10.2003 filed by third respondent. A perusal of the complaint discloses that one Mr.Thalluri Venkateswarlu was running a Kirana shop and doing business in grains and fertilizers at Nereducherla and had deceived the third respondent and other persons to a tune of Rs.18 to 20 lakhs. Except stating that the petitioners herein who are the relations of the said Venkateswarlu, have visited the village to settle certain claims, no allegation is made against the petitioners to the effect that they have received amount or that the amount said to have been lent by the third respondent was passed on to them. In that view of the matter, it is not remotely alleged that the petitioners have deceived the third respondent. Therefore, this Court does not find any basis for registration of F.I.R. against the petitioners herein. The same is therefore, quashed in so far as it relates to the petitioners. The writ petition is allowed. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Date: 25.2.2005

DA

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on the Twenty Fifth day of February, Two Thousand and Five.

REGISTRAR

To

1 The Secretary, Govt. of Andhra Pradesh, Department of Home, Secretariat, Hyderabad.
2 The Station House Officer, P.S. Neredcherla, Nalgonda District.

3 Two CCs to the Govt. Pleader for Home, High Court Buildings, Hyderabad (OUT).

4 Two CD copies.